

UNITED STATES DISTRICT COURT
for the
Southern District of Texas

OCT - 1 2017

David J. Bradley, Clerk

United States of America)
 v.)
 Salvador TORRES-Contreras (Mexican National) 1958)
 Cristian ENRIQUEZ-Galvan (Mexican National) 1996)
 Defendant)

Case No. M-17-1749-M

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 09/30/2017 in the county of Hidalgo in the Southern District of Texas, the defendant violated Title 21 U. S. C. § 841/846, an offense described as follows:

defendants did knowingly and intentionally possess with the intent to distribute, approximately 1050 kilograms of marijuana, a schedule I controlled substance, defendants conspired to possess approximately 1050 kilograms of marijuana, a schedule I controlled substance

This criminal complaint is based on these facts:

See Attachment "A"

Continued on the attached sheet.

Submitted by reliable electronic means, sworn to and attested to telephonically per Fed. R. Cr. P. 4.1, and probable cause found on:

Continued on the attached sheet and made a part of this complaint

S: [Signature]

Date: 10/01/2017 2:28 p.m.

City and state: McAllen, Texas

LAURENCE J DIAMOND

Digital signature of LAURENCE J DIAMOND, Jr.
DNA Lab, FBI, Government, US Department of Homeland Security, and ICE, and PW
Signature: LAURENCE J DIAMOND, JR. 0.9.2542.19200000.100.1.1+0347038725.ICE
Date: 2017-10-01 08:50:01 -05'00'

Complainant's signature

Laurence Diamond, Special Agent HSI

Printed name and title

Judge's signature

Peter Ormsby, US Magistrate Judge

Printed name and title

During the dates of September 27, 2017 through September 30, 2017 Homeland Security Investigations (HSI) McAllen, Texas Special Agents (SAs) were conducting surveillance at 451W. Nolana #8 in Pharr, Texas.

HSI SAs observed a male later identified as Salvador TORRES-Contreras (a citizen and national of Mexico) arrive to the warehouse each day and unlock the front door and open the large overhead warehouse door. On each of these days TORRES would freely enter and exit the warehouse. TORRES was observed driving a forklift and moving large pallets wrapped in green cellophane around the warehouse. On each day, a second male later identified as Cristian ENRIQUEZ-Galvan (a citizen and national of Mexico) would be dropped off at the warehouse and TORRES would let him inside. ENRIQUEZ would then begin working inside the warehouse. ENRIQUEZ was observed operating a pallet jack and moving large pallets wrapped in green cellophane as well as taking out the trash.

On September 28, 2017 at approximately 8:20am HSI SA Raul Garza Jr, observed a Chevrolet cargo van bearing Texas license plate number DZV7945 in the warehouse with its side doors open. SA Garza could see TORRES and ENRIQUEZ walking from the side of the van and into the warehouse. SA Garza then observed ENRIQUEZ park the van in the warehouse parking lot, and return to work within the warehouse.

On September 29, 2017 SAs observed TORRES and ENRIQUEZ carry additional empty wooden pallets into the warehouse.

On September 30, 2017 at approximately 10:02am SAs observed TORRES and ENRIQUEZ load large pallets wrapped in green cellophane into a tractor trailer bearing California tractor license plate number WP69384 and bearing California trailer license plate number 4LJ7672. TORRES operated a fork lift to load the pallets while ENRIQUEZ operated a hand pallet jack inside the trailer. After loading the pallets TORRES and ENRIQUEZ then stood inside the open overhead warehouse door as the tractor trailer driver closed the trailer doors to depart.

At approximately 10:31am HSI SAs and Task Force Officers (TFOs) approached the location and made contact with TORRES and ENRIQUEZ. SA Laurence Diamond asked TORRES for, and received, consent to search the warehouse. SA Raul Garza then asked driver of the tractor trailer driver for consent to search his tractor and trailer. The driver consented to the search and agreed to drive the vehicle to the Customs and Border Protection (CBP) Pharr, Texas Point of Entry (POE) where it could be safely searched.

Upon arriving at the Pharr, Texas POE, Pharr, Texas Police Department Officer Jose Tamez conducted a canine inspection of the tractor trailer and received a positive alert from canine "Chachi" for the presence of narcotics.

CBP Officer Lisandro Villarreal then utilized an x-ray capable "IntellX2" device to scan the contents of the trailer. CBP Officer Villarreal observed anomalies comingled with commodities

within the pallets inside the trailer. SAs and TFOs discovered 103 bundles of marijuana with a total weight of approximately 1050 kilograms hidden inside the large pallets wrapped in green cellophane. TFO Michal Burner conducted a field test of the narcotics and received positive results for marijuana.

SAs Garza and Antonio Perez subsequently conducted an interview of ENRIQUEZ. ENRIQUEZ was provided his Miranda Rights from a pre-printed form in the Spanish language, and waived his rights both orally and in writing to SA Raul Garza. ALVIZO-Rocha provided the following statements, which are paraphrased and may not be in the order he stated them:

ENRIQUEZ stated an unidentified individual (UI) he believed was involved in drug trafficking offered him work in the United States. ENRIQUEZ stated he was expecting the UI to pay him \$200.00 per week to work in a warehouse. ENRIQUEZ anticipated receiving an additional \$1,500.00 each time he assisted the UI in furtherance of drug transactions. On September 28, 2017, the UI instructed ENRIQUEZ to take possession of a white Chevrolet cargo van located at a Wal-Mart. ENRQIUEZ located the van and drove it to the warehouse on Nolana rd. ENRIQUEZ and TORRES removed boxes from the van and stored them at the warehouse. ENRIQUEZ believed the aforementioned boxes contained illegal narcotics.

Torres declined to be interviewed at this time.